

# DEPARTMENT OF CONSUMER AFFAIRS

## ADVISORY COMMITTEE

FOR THE

## CEMETERY AND FUNERAL BUREAU

### MEMBER ORIENTATION AND REFERENCE MANUAL

Governor Edmund G. Brown Jr.  
State of California

Anna Caballero, Secretary  
State and Consumer Services Agency

Denise Brown, Director  
Department of Consumer Affairs

Lisa M. Moore, Chief  
Cemetery and Funeral Bureau

# DEPARTMENT OF CONSUMER AFFAIRS

## MISSION

To protect and serve the interests of California consumers.

## Vision

California consumers make informed choices and have access to competent and ethical service providers.

## Values

- **Accountability** - We are accountable to the people of California and each other as stakeholders. We operate transparently and encourage public participation in our decision-making whenever possible.
- **Efficiency** - We diligently identify the best ways to deliver high-quality services with the most efficient use of our resources.
- **Effectiveness** - We make informed decisions that make a difference and have a positive, measurable impact.
- **Integrity** - We are honest, fair, and respectful in our treatment of everyone.
- **Customer Service** - We acknowledge all stakeholders as our customers, listen to them, and take their needs into account.
- **Employees** - We are an employer of choice and strategically recruit, train, and retain employees. We value and recognize employee contributions and talent.
- **Unity** - We draw strength from our organizational diversity as well as California's ever-changing cultural and economic diversity.

# Department of Consumer Affairs

## Cemetery and Funeral Bureau

### **MISSION**

The Cemetery and Funeral Bureau advocates for consumer protection and licensee compliance through proactive education and enforcement of laws and regulations of the death care industry.

### **VISION**

We will be the premiere organization ensuring that consumers make informed decisions in a fair and ethical marketplace.

### **VALUES**

- **Collaboration** – We strive to employ collaborative relationships in decision-making.
- **Compassion** – We employ empathy, integrity, respect, and understanding when serving consumers.
- **Professionalism** – We pride ourselves in our professionalism when serving the industry.
- **Accountability** – We operate transparently and honestly, and encourage public participation in our decision-making whenever possible.
- **Innovation** – We value new ideas and concepts, which are fundamental to our successful delivery of services to consumers and efficient regulation of the industry.

# CEMETERY AND FUNERAL BUREAU

## ADVISORY COMMITTEE INFORMATION

The focus of the Advisory Committee is to advise the Bureau as a whole, based on each member's diverse experience and education, concerning the Bureau's administration, regulation, licensing, and enforcement functions. The Bureau Chief shall appoint an Advisory Committee that shall consist of representatives of the funeral and cemetery industries and consumer advocacy groups, among other parties.

## EXPECTATIONS OF MEMBERS

### DUTIES

The Advisory Committee (Committee) is expected to provide important professional and technical assistance to the Bureau on issues related to the regulation of licensed funeral establishments, cemeteries, and crematories in California. Specifically, the Committee, as directed by the Bureau, may be asked to provide input on the following functions:

- Administration
- Regulation
- Licensing
- Enforcement

The Committee's input is advisory only.

## REMOVAL OF MEMBERS

All members of the Bureau's Advisory Committee serve at the pleasure of the Chief. The Chief may remove any member from the Committee for disruptive or unprofessional behavior counter-productive to the orderly conduct of the business of the Committee.

Members who miss two consecutive meetings will be removed from the Committee and another member will be appointed for the remainder of the term at the discretion of the Chief.

## TERM OF APPOINTMENTS

The term of appointment of an Advisory Committee Member will be two years. However, the Chief may elect to re-appoint a member or members to consecutive terms, not to exceed four years total.

A Chairperson may be elected by the Committee and, if elected, shall serve a two-year term. Any such election shall be held during the first meeting after the appointment of a new Advisory Committee.

## COMPENSATION FOR MEMBERS

As a volunteer appointee to the Advisory Committee, members will not receive a salary or other compensation for attending Committee meetings. The Bureau's Committee is not mandated by statute, and no law or regulation requires the Bureau to hold meetings. Furthermore, due to the Governor's Executive Order B-06-11, which prohibits all discretionary travel, attendance for Committee meetings is strictly voluntary. Members understand that, at this time, they are responsible for any and all costs incurred to attend and participate in Committee meetings.

## MEETINGS

It is the intent of the Department of Consumer Affairs and the Cemetery and Funeral Bureau to hold open, public meetings of the Bureau's Advisory Committee. The Bureau shall follow the provisions of the Bagley-Keene Open Meeting Act. The meetings will be held in meeting facilities that are accessible to persons with disabilities in accordance with the *Americans with Disabilities Act*. Any person in attendance will be given the opportunity to make public comment to the Committee. All Advisory Committee meetings will be announced on the Bureau's Web site, [www.cfb.ca.gov](http://www.cfb.ca.gov), at least ten days prior to the scheduled meeting.

## MEETINGS BY TELECONFERENCING

Prior to January 1, 1995, the Bagley-Keene Open Meeting Act contained no provision for conducting meetings where the participating members were not physically present in one location.

Effective January 1, 1995, subdivision (b) was added to the Government Code section 11123 to authorize meetings by teleconference. (AB 3467, Murray Chapter 1153, Statutes of 1994). That subdivision has been amended several times, most recently by AB 192, Cancimilla, Chapter 243, Statutes of 2001, and it currently provides:

*(a) All meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article.*

*(b) (1) This article does not prohibit a state body from holding an open or closed meeting by teleconference for the benefit of the public and state body. The meeting or proceeding held by teleconference shall otherwise comply with all applicable requirements or laws relating to a specific type of meeting or proceeding, including the following:*

*(A) The teleconferencing meeting shall comply with all requirements of this article applicable to other meetings.*

*(B) The portion of the teleconferenced meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting.*

*(C) If the state body elects to conduct a meeting or proceeding by teleconference, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. The agenda shall provide an opportunity for members of the public to address the state body directly pursuant to Section 11125.7 at each teleconference location.*

*(D) All votes taken during a teleconferenced meeting shall be by rollcall.*

*(E) The portion of the teleconferenced meeting that is closed to the public may not include the consideration of any agenda item being heard pursuant to Section 11125.5.*

*(F) At least one member of the state body shall be physically present at the location specified in the notice of the meeting.*

*(2) For the purposes of this subdivision, "teleconference" means a meeting of a state body, the members of which are at different locations, connected by electronic means, through either audio or both audio and video. This section does not prohibit a state body from providing members of the public with additional locations in which the public may observe or address the state body by electronic means, through either audio or both audio and video.*

A method is thus available whereby meetings may be conducted by audio or video teleconferencing provided the criteria set forth in the statute have been met. Note the restriction in subdivision (b)(1)(E) that prohibits a closed session

emergency meeting. Emergency meetings in open session may be conducted by teleconference.

We emphasize that the law now requires every teleconferencing meeting location to be identified in the notice and agenda and to be open to the public. Most importantly, the members of the agency must attend the meeting at a public location. Members are no longer able to attend the meeting via teleconference from their offices, homes, or other convenient location unless those locations are identified in the notice and agenda, and the public is permitted to attend at those locations. Nothing prohibits additional locations, where only the public is connected to the teleconference meeting. (Government Code section 11123 (b)(2)).